

# Notice of Allowability

Application No.

10/760,083

Examiner

Robert A. Hopkins

Applicant(s)

BLACKBURN ET AL.

Art Unit

1724

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment after final dated 6-5-06 and discussion with applicant's representative dated 3-
2.  The allowed claim(s) is/are 10-29(renumbered 1-20 respectively).
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some\* c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413), Paper No./Mail Date 060706.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

Claims 10-29 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 10 teaches "wherein the non-filled monolithic porous carbon structure is a single piece and is not granular and is not composed of granular carbons bound together by a binder". Examiner notes new reference Gadkaree(6187713) teaches a filter element for removing contaminants from gases comprising a monolithic porous carbon structure(extruded honeycomb), wherein the monolithic porous carbon structure is a single piece(noting the structure is a liquid phenolic resin which is cured and then carbonized to form a monolithic porous carbon structure(column 11 lines 7-10).

Examiner notes however that the structure requires a hydrophobic carbonizable filler to be added to form a good honeycomb extrusion. Upon a discussion with Charles Kim on March 30, 2006, representative for applicant, examiner noted that inclusion in the independent claims that the structure is non-filled would overcome the monolithic porous carbon structure of Gadkaree(6187713), which teaches a structure that includes a filler, wherein Gadkaree clearly states that the filler is required for forming a good honeycomb extrusion. Claims 11-19 depend on claim 10 and hence are also allowed.

Claims 20-29 teaches "in which the filter element comprises a non-filled monolithic porous carbon structure which is a single piece and is not granular and is not composed of granular carbons bound together by a binder". Examiner notes new

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reference Gadkaree(6187713) teaches a filter element for removing contaminants from gases comprising a monolithic porous carbon structure(extruded honeycomb), wherein the monolithic porous carbon structure is a single piece(noting the structure is a liquid phenolic resin which is cured and then carbonized to form a monolithic porous carbon structure(column 11 lines 7-10). Examiner notes however that the structure requires a hydrophobic carbonizable filler to be added to form a good honeycomb extrusion. Upon a discussion which Charles Kim on March 30, 2006, representative for applicant, examiner noted that inclusion in the independent claims that the structure is non-filled would overcome the monolithic porous carbon structure of Gadkaree(6187713), which teaches a structure that includes a filler, wherein Gadkaree clearly states that the filler is required for forming a good honeycomb extrusion. Claims 21-29 depend on claim 20 and hence are also allowed.

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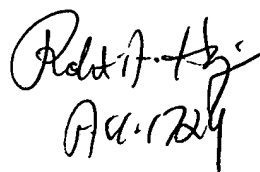
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Hopkins whose telephone number is 571-272-1159. The examiner can normally be reached on Monday-Thursday, 7:30am-5pm, every Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rah  
June 7, 2006

**ROBERT A. HOPKINS  
PRIMARY EXAMINER**

Handwritten signature of Robert A. Hopkins in black ink, appearing as 'Robert A. Hopkins' with a stylized flourish at the end.